

(C.No.16195 /Coop.VII (2) / 08)

Agri. & Coop. (Coop.)

Dept.

Sub:- Coop. Dept. - Conduct of election to the Managing Committee of Bharat Dynamics Employees Cooperative Credit Society Limited (Regd.No.T.A.No.801), Kanchanbagh, Hyderabad - Exemption from the provisions of Section 31(5) APCS Act, 1964 - Reg.

Ref:- From CC & RCS A.P., Hyd., Rc.No. 28133/08/PC4, dt. 27.11.2008.

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The letter received from the Commissioner for Cooperation and Registrar for Cooperative Societies, A.P. Hyderabad together with its enclosures at pages 1 to 6 c.f. may be perused.

The CC & RCS., AP., Hyderabad has stated that the District Cooperative Officer, Hyderabad (U) informed that the term of Managing Committee of Bharat Dynamics Employees Cooperative Credit Society Limited, Hyderabad expired on 29.10.2008 and as per the bye law No.26 of the society "there shall be an Ex-Officio President, Ex-Officio Secretary and one Ex-Officio Managing Committee Member". He further informed that Government vide G.O. Rt.No.531 Agriculture and Co-operation (Co-operation V) Department, dated 23.5.1998 exempted the Bharat Dynamics Employees Co-operative Credit Society Limited Hyderabad from conduct of direct election to the post of President but to continue ex-officio provision as per the bye law No.26 of the bye-laws of society.

It is to inform further that as per existing provisions of section 31(5) of APCS Act, 1964 the President shall be elected by the members of the Committee from among themselves in the manner prescribed. Therefore the District Cooperative Officer, Hyderabad(U) requested for exemption of Bharat Dynamics ECCS Limited, Hyderabad from the provisions of section 31(5) of APCS Act, 1964.

In view of the above circumstances, the CC & RCS A.P., Hyderabad has requested the Government to arrange to issue orders exempting the Bharat Dynamics Employees Co-operative Society Limited Registered T.A.No.801, Kanchanbagh, Hyderabad from the provisions of sub section 5 of Section 31 of APCS Act, 1964 by invoking provisions u/s 123 of APCS Act, 1964 so as to enable the said society to have Ex-officio President as per bye law No.26 of the bye laws of society.

The District Cooperative Officer, Hyderabad (U) District stated that in his report that the Divisional Cooperative Officer, Charminar Division has reported that the term of the Managing Committee of Bharat Dynamics ECCS Limited, Hyderabad will expire on 29.10.2008 and it is also reported that as per the bye-law No.26 of the society "there shall be an Ex-officio President, Ex-Officio Secretary and one Ex-Officio Managing Committee Member. Whereas vide G.O. Rt.No.531 A & C (Coop.V) Dept., dated 23.5.98 Government issued

orders regarding exemption from the provisions of section 31(5) of the A.P. Co-op. Societies Act, 1964 that in exercise of powers conferred u/s 123 of A.P. Coop. Societies Act, 1964 Government hereby exempt the BDI, ECCS from conduct of direct elections to the post of president but to continue Ex-Officio provision as per the Bye-law No.26 of the society. Section 31(5) of the A.P. Co-op. Societies Act, 1964 is “In the case of such classes of Co-operative Societies as may be prescribed, the president (shall subject to the provisions of sec.21-A) be elected by the members of the Committee from among themselves in the manner prescribed”.

In the above circumstances, the District Cooperative Officer, Hyderabad (U) District requested to examine the matter and clarify whether the society has to take orders of the Government again or not as the President has to be elected by the Managing Committee of the Society and also requested the Government for seeking exemption from the operation of the provisions of Sec. 31(5) of the A. P.Coop. Societies Act, 1964 in respect of Bharat Dynamics Limited ECCS Limited, Hyderabad.

With the above information of the Commissioner for Cooperation and Registrar of Cooperative Societies, A. P. Hyderabad and the District Cooperative Officer, Hyderabad (U), District the file may be submitted for orders.

After orders are passed the file may be circulated to M (Coop.) for approval.

(C.No.16195/Coop.VII(2)/08)

**GOVERNMENT OF ANDHRA PRADESH**  
**ABSTRACT**

Co-operation Department - Conduct of election to the Managing Committee of Bharat Dynamics Employees Cooperative Credit Society Limited (Regd.No.T.A.No.801), Kanchanbagh, Hyderabad - Exemption from the provisions of Section 31(5) of APSCS Act, 1964 by invoking provisions u/s.123 of APSCS Act 1964 - Orders - Issued.

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G.O.Rt.No.

Date: -12-2008

Read the following :-

1. Lr. From CC & RCS., A.P. Hyderabad Lr. Rc.No.28133/2008/ PC4, dated 27.11.2008.

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**ORDER:-**

In the reference cited, The CC & RCS., AP., Hyderabad has stated that the District Cooperative Officer, Hyderabad (U) informed that the term of Managing Committee of Bharat Dynamics Employees Cooperative Credit Society Limited, Hyderabad expired on 29.10.2008 and as per the bye law No.26 of the society "there shall be an Ex-Officio President, Ex-Officio Secretary and one Ex-Officio Managing Committee Member". He further informed that Government vide G.O. Rt.No.531 Agriculture and Co-operation (Co-operation V) Department, dated 23.5.1998 exempted the Bharat Dynamics Employees Co-operative Credit Society Limited Hyderabad from conduct of direct election to the post of President but to continue ex-officio provision as per the bye law No.26 of the bye-laws of society. It is to inform further that as per existing provisions of section 31(5) of APSCS Act, 1964 the President shall be elected by the members of the Committee from among themselves in the manner prescribed. Therefore the District Cooperative Officer, Hyderabad(U) requested for exemption of Bharat Dynamics ECCS Limited, Hyderabad from the provisions of section 31(5) of APSCS Act, 1964.

In view of the above circumstances, the CC & RCS A.P., Hyderabad has requested the Government to arrange to issue orders exempting the Bharat Dynamics Employees Co-operative Society Limited Registered T.A.No.801, Kanchanbagh, Hyderabad from the provisions of sub section 5 of Section 31 of APCS Act, 1964 by invoking provisions u/s 123 of APCS Act, 1964 so as to enable the said society to have Ex-officio President as per bye law No.26 of the bye laws of society.

The District Cooperative Officer, Hyderabad (U) District stated that in his report that the Divisional Cooperative Officer, Charminar Division has reported that the term of the Managing Committee of Bharat Dynamics ECCS Limited, Hyderabad will expire on 29.10.2008 and it is also reported that as per the bye-law No.26 of the society "there shall be an Ex-officio President, Ex-Officio Secretary and one Ex-Officio Managing Committee Member. Whereas vide G.O. Rt.No.531 A & C (Coop.V) Dept., dated 23.5.98 Government issued orders regarding exemption from the provisions of section 31(5) of the A.P. Co-op. Societies Act, 1964 that in exercise of powers conferred u/s 123 of A.P. Coop. Societies Act, 1964 Government hereby exempt the BDI, ECCS from conduct of direct elections to the post of president but to continue Ex-Officio provision as per the Bye-law No.26 of the society. Section 31(5) of the A.P. Co-op. Societies Act,

1964 is "In the case of such classes of Co-operative Societies as may be prescribed, the president (shall subject to the provisions of sec.21-A) be elected by the members of the Committee from among themselves in the manner prescribed".

In the above circumstances, the District Cooperative Officer, Hyderabad (U) District requested to examine the matter and clarify whether the society has to take orders of the Government again or not as the President has to be elected by the Managing Committee of the Society and also requested the Government for seeking exemption from the operation of the provisions of Sec. 31(5) of the A. P.Coop. Societies Act, 1964 in respect of Bharat Dynamics Limited ECCS Limited, Hyderabad.

In the circumstances reported by the Commissioner for Cooperation and Registrar of Cooperative Societies, A.P., Hyderabad in the reference cited, Government after careful examination of the matter, hereby exempting the Bharat Dynamics Employees Cooperative Society Limited, Registered T.A.No.801, Kanchanbagh, Hyderabad from the provisions of sub section 5 of section 31 of APSCS Act, 1964 by invoking provisions u/s. 123 of APSCS Act, 1964 of the said society to have Ex-officio President as per bye law No.26 of the bye laws of society.

The Commissioner for Cooperation and Registrar of Cooperative Societies, A.P., Hyderabad is requested to take necessary steps to arrange exempting the Bharat Dynamics Employees Cooperative Society Limited so as to enable the said society to have Ex-officio President as per bye law No.26 of the bye laws of the said society immediately.

To

The Commissioner for Coopn. & Registrar of Coop. Societies, A.P., Hyderabad.

The District Collector, Hyderabad.

The District Cooperative Officer, Hyderabad. (U)

Copy to :-

The P.S. to Hon'ble M (Coop.)

The P.S. to Prl. Secy. (C & Agri.) Dept.

SF/SC.